

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

JIM NAVARRO,

Plaintiff,

v.

STATE OF NEVADA  
REHABILITATION DIVISION, et al.,

Defendants.

2:10-CV-186 JCM (LRL)

**ORDER**

Presently before the court is the report and recommendation of United States Magistrate Judge Lawrence R. Leavitt. (Doc. #6). Plaintiff Kim Navarro filed an opposition. (Doc. #7).

Upon reviewing plaintiff's motion/application for leave to proceed in forma pauperis and attached complaint (doc. # 1 and #1-1), Judge Leavitt dismissed the complaint, and instructed plaintiff to amend the complaint to cure the deficiencies listed by the court. (Doc. #2). Further, the plaintiff was warned that the failure to adequately amend the complaint by July 17, 2010, would result in dismissal. To date, plaintiff has failed to file an amended complaint.

On October 25, 2010, Judge Leavitt filed a report and recommendation (doc. #6), recommending that the case be dismissed due to plaintiff's failure to amend his complaint as ordered by the court. In the plaintiff's opposition, he accuses workers of "deliberately withhold[ing] information on [a]ppealing to the Ninth Circuit Court of Appeals," yet does not provide the court with any explanation for his failure to amend the complaint, or any legal justification that would support his opposition to dismissal.

Upon review of the magistrate judge's finding and recommendation (doc. #6) and plaintiff's objection to the report and recommendation (doc. #7),

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the report and recommendation of United States Magistrate Judge Lawrence R. Leavitt (doc. #6) is AFFIRMED in its entirety.

IT IS FURTHER ORDERED that the above captioned case be, and the same hereby is,  
DISMISSED.

DATED January 14, 2011.

James C. Mahan  
**UNITED STATES DISTRICT JUDGE**